



Littler Mendelson, PC
900 Third Avenue
New York, NY 10022.3298

Christine L. Hogan
212.583.2676 direct
212.583.9600 main
212.898.1116 fax
clhogan@littler.com

June 25, 2020

VIA ECF

Chief Magistrate Judge Roanne L. Mann
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: *Mason v. Lumber Liquidators, Inc.*
Case No. 17-CV-4780 (MKB) (RLM)**

Dear Judge Mann:

My firm represents Defendant Lumber Liquidators, Inc. in the above captioned case. We write jointly with Plaintiffs in order to provide the Court with a status update.

On January 21, 2020, the Court so-ordered the Parties' Agreement Concerning Scope of Collective Discovery (the "Agreement"). (ECF No. 182). Since then, the undersigned has been on FMLA leave, Outten & Golden LLP has appeared as co-counsel for Plaintiffs, and the ongoing COVID-19 pandemic has significantly impacted this District and the operations of the Court, as well as the professional and personal lives of counsel. *See, e.g.,* EDNY *In re Coronavirus/COVID-19 Pandemic* Administrative Orders.

Despite the delays caused by the pandemic, Defendant has continued to produce documents contemplated by the Agreement (with the most recent production made on June 22) and the parties have continued to meet and confer on several discovery disputes. If the parties are unable to resolve these disputes, Plaintiffs expect to file a motion to compel by July 3. The parties have yet to schedule depositions based on the foregoing and the concerns set forth in the parties' May 1st letter. (ECF No. 188). The parties intend to start scheduling remote depositions of opt-in plaintiffs and defense witnesses next month. Defendant would like to delay the named Plaintiffs' depositions until in-person dates can be set.

Accordingly, the parties respectfully request a discovery extension from December 18, 2020 to and including June 1, 2021 to complete class and collective and merits discovery. We note this is a conservative request for an extension, as if granted, it will require the parties to take almost 1.5 depositions a week in order to meet the June 1, 2021 deadline. This onerous deposition schedule shall be coupled with substantive motion practice, which includes the currently scheduled motion to dismiss the California class members that participated in California state court settlement. *See* Order (June 16, 2020).

We thank Your Honor for your attention and consideration in this matter.

Respectfully submitted,

June 25, 2020
Page 2

A handwritten signature in black ink, appearing to read "Christine L. Hogan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Christine L. Hogan

cc: Counsel of Record